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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,364	08/17/2001	Michael P. Cockrill	27001-11030	5095
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Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			EXAMINER WEIS, SAMUEL	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 03/11/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/932,364	Applicant(s) COCKRILL ET AL.	
	Examiner SAMUEL S. WEIS	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 51, 53, 55, 58, 60, 61 and 64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51, 53, 55, 58, 60, 61, and 64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Applicants' Request for Continued Exam (RCE) filed on December 13, 2007. Claims 51, 53, 55, 58, 60, 61, and 64 are currently pending. Claims 51, 58, and 64 have been amended.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 13, 2007 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 51, 53, 55, 58, 60, 61, and 64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to independent claims 51, 58, and 64, a limitation reads: "wherein the method /computer program / (a) and (b) is practiced on behalf of a first online service." The language "on behalf of" is vague and indefinite.

As to dependent claims 53, 55, 60, and 61, these claims are rejected as being dependent upon a rejected independent claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 51, 53, 55, 58, 60, 61, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teper et al., U.S. Pat. No. 5,815,665, in view of Goldman et al., U.S. Pat. No. 5,684,951.

As to claims 51, 58, and 64, Teper discloses a method and system for identifying a user using a user computer system among a group of users (abstract) comprising:

(a) registering the user by (abstract):

(1) obtaining for the user a member identifier (abstract, columns 11-12, and claims 1, 8, 12, 15, 17, 20, 29, and 35) (abstract);

(2) after obtaining the member identifier, storing a unique identifier for the user on the user computer system in conjunction with the obtained member identifier (i.e. unique ID) (col. Line 67-col. 3, line 4); and

(b) identifying the user by (abstract):

(1) soliciting from the user the member identifier of the user (col. 3, lines 5-19, columns 11-12, and claims 1, 8, 12, 15, 17, 20, 29, and 35);

(2) receiving the member identifier of the user (col. 3, lines 5-19, columns 11-12, and claims 1, 8, 12, 15, 17, 20, 29, and 35);

(3) reading from the user computer system the unique identifier stored in conjunction with the member identifier received (The SP site forwards the response message to the online Broker Site along with the user's unique ID (which the SP site obtains from the user computer) (col. 3, lines 19-21, columns 11-12, and claims 1, 8, 12, 15, 17, 20, 29, and 35); and

(4) identifying the user using the unique identifier (See col. 3, lines 19-30). wherein the method is practiced on behalf of a first online service (i.e. Online Brokering Service) (abstract); wherein obtaining for the user the member identifier comprises obtaining for the user a member identifier used by the user to identify the user to a second online service distinct from the first online service (i.e. service provider) (abstract, columns 11-12, and claims 1, 8, 12, 15, 17, 20, 29, and 35).

Teper does not specifically disclose wherein the unique identifier includes an email address.

However, Goldman teaches a method and system for performing user authorization in a multi-user computer system. Goldman stores a user ID, email address and IP for each registered user (See abstract, Figs. 3-9, and columns 5-11). It would have been obvious to combine Teper and Goldman for the motivation of making the authorization procedure more efficient and secure.

As to claims 52 and 59, Teper discloses wherein a plurality of users having the same user computer system are registered by repeating (a)(1)-(a)(2) for each of

the plurality of users (i.e. An Online Brokering Service provides user authentication and billing services to allow users to anonymously and securely purchase online services from Service Providers (SP) sites) (abstract)

As to claims 53 and 60, Teper discloses wherein obtaining for the user the member identifier comprises:

soliciting from the user the member identifier of the user (See col. 3, lines 5-30) and receiving from the user the member identifier of the user (See col. 3, lines 5-30).

As to claims 55 and 61, Teper discloses wherein obtaining for the user the member identifier used by the user to identify the user to the second online service comprises obtaining member identifier from an operator of the second online service (i.e. SP site initiates a challenge-response authentication sequence) (col. 3, lines 5-19).

As to claims 56 and 62, Teper discloses wherein the user is first authenticated to the first online service utilizing the member identifier, the unique identifier, and a password of the user (See col. 6, lines 4-13).

Response to Arguments

7. Applicant's arguments with respect to claims 51, 53, 55, 58, 60, 61, and 64 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAMUEL S. WEIS whose telephone number is (571)272-1882. The examiner can normally be reached on 8:30 to 5, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on (571) 272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art
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